

REMARKS

In the Office Action of February 5, 2002 in the above-identified application, Claims 1 and 6 - 16 were rejected. No Claim was allowed. In response, Claim 1 is amended and Claim 8 is canceled. Reexamination and reconsideration are respectfully requested in view of the following remarks.

Support for Amendment

Claim 1 is amended to provide that the flexible riser is continuously flexible. This amendment is supported by Fig 1A and 1B.

Claim 1 is further amended to provide that the pipe conveys petroleum effluent. This amendment is supported by Claim 8, which is canceled.

Rejection of Claims 1 and 7 - 16 under 35 U.S.C. §103(a) over Moses et al

Claims 1 and 7 - 16 were rejected under 35 U.S.C. §103(a) over Moses et al. The Examiner alleges that Moses et al disclose the limitations of Claim 1, except for the rigid part having a length at least equal to half of the water depth, and the Examiner further takes the position that finding the optimum length is a design choice within the ordinary skill in the art. The Examiner takes the position that the combination of intermediate pipe sections and flexible couplings of Moses meet the limitation of a flexible riser part.

This rejection is respectfully traversed. In particular, it is respectfully submitted that Moses et al does not disclose or suggest a flexible riser as this term is defined and understood in the relevant art. The combination of intermediate rigid pipe sections and flexible couplings of Moses do not meet the limitation of a flexible riser part. The term "flexible riser" is a term of art with a specific meaning to persons skilled in the art of subsea transfer of fluids and specifically refers to a flowline that is continuously flexible or hose-like. In support thereof, Applicants submit a Declaration of Daniel Averbuch and a copy of API Recommended Practice 17B, referred to in the Averbuch Declaration. These documents clearly demonstrate that the term "flexible riser" is a term of art that refers to a specific type of continuously flexible pipe and not to a rigid pipe or joined segments of rigid pipe. A copy of the relevant pages of API Recommended Practice 17B is attached with a Form PTO-1449. The limitation that the structure of the present invention include a flexible riser is clearly not met by the structure of Moses et al, which shows a structure having a plurality of rigid risers joined together in series by means of flexible couplings. This structure is not a "flexible riser" as this term is understood in the art.

To further distinguish the present invention, Claim 1 is amended to provide that the flexible riser is a continuously flexible riser.

Accordingly, it is respectfully submitted that Claims 1 and 7 - 16 would not have been obvious over Moses et al.

Rejection of Claim 6 under 35 U.S.C. §103(a) over Moses et al in view of Willis

Claim 6 was rejected under 35 U.S.C. §103(a) over Moses et al in view of Willis. Moses et al is cited for the reasons discussed above, and Willis is cited as teaching insulated pipes.

This rejection is respectfully traversed. As discussed above, Moses et al does not disclose or suggest the combination of a flexible riser and a rigid riser, with a rigid riser connected to a floating support and a flexible riser connected to a point located below the surface. Willis does not supply this missing feature of the present invention. Accordingly, it is respectfully submitted that Claim 6 would not have been obvious over Moses et al alone, or in combination with Willis (EPO 0467635 A2).

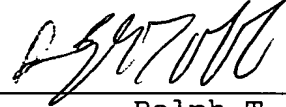
Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that Claims 1 and 6 - 7 and 9 - 16 are allowable. Favorable reconsideration is respectfully requested.

Should the Examiner believe that anything further is necessary to place this application in condition for allowance, the Examiner is requested to contact applicants' undersigned attorney at the telephone number listed below.

Kindly charge any additional fees due, or credit
overpayment of fees, to Deposit Account No. 01-2135 (Case No.
612.37981CX1).

Respectfully submitted,
ANTONELLI, TERRY, STOUT & KRAUS



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Enclosures:
Declaration of Daniel
Averbach
API Recommended Practice 17B
w/Form 1449

Marked up copy to show changes made:

IN THE CLAIMS

1) (three times amended) A pipe for great water depths (D) allowing transfer of a ~~fluid~~ petroleum effluent between a floating support (1) and a point located below and at a distance from the water surface, characterized in that it comprises:

a continuously flexible riser part (7) connected, at one end, to the point located below the surface, and

a rigid riser part (6) connected to the flexible riser part at one end and to the floating support at the second end thereof,

said rigid riser part (6) having a length at least equal to half the water depth.